

# **EXHIBIT NN**

# Estate of Gary Perkins

# VCF Documentation



September 11th  
Victim Compensation Fund

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July 23, 2020

LYNN HANSELL PERKINS  
C/O WENDELL TONG  
SULLIVAN PAPAIN BLOCK MCGRATH & CANNAVO, PC  
120 BROADWAY 18TH FLOOR  
NEW YORK NY 10271

**Re: CLAIM NUMBER: VCF0102404**

Dear LYNN HANSELL PERKINS:

The September 11th Victim Compensation Fund ("VCF") has reviewed your claim for eligibility. You submitted a claim form on behalf of GARY PERKINS.

**The Decision on your Claim**

The VCF has determined that the decedent has met the eligibility criteria established in the statute and regulations. Based on the information you submitted and information the VCF has received from the World Trade Center ("WTC") Health Program, the decedent has been found eligible for the following injuries:

- MALIGNANT NEOPLASM LOWER LOBE RT BRONCHUS/LUNG

Please note that there are several reasons why an injury that you think should be eligible is not listed above. For non-traumatic injuries, the name of the injury is based on the information provided by the WTC Health Program and there may be different names for the same injury. Additionally, your injury may not be listed if it was only recently certified for treatment by the WTC Health Program.

If in the future the WTC Health Program should notify you that a condition previously found eligible is no longer certified, you must inform the VCF as this may affect your eligibility status and/or the amount of your award.

**What Happens Next**

**If the decedent was certified for treatment by the WTC Health Program for a condition not listed above**, you should amend your claim. Please see the VCF website for details on how to amend your claim. The VCF will review the new information and determine if it provides the basis for a revised decision.

**If you believe the decedent had eligible injuries not treated by the WTC Health Program** and you would like the VCF to consider those injuries before calculating the amount of any compensation, you should amend your claim. If you choose to amend your claim, you will need to use the VCF Private Physician process. The Private Physician process is a way for the VCF to gather the required information about the decedent's treatment in order to process your claim.



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All forms are available on the VCF website under "Forms and Resources." The website also includes detailed information and instructions on the Private Physician process.

**If the decedent did not have injuries other than those listed above,** you should submit the compensation section of your claim form and the required supporting materials if you have not already done so. If you have already submitted this information, you do not need to take any action at this time unless you receive a request from the VCF for missing information. The VCF will calculate the amount of any compensation based on the conditions listed above after all compensation-related documents are submitted.

If you have questions about the information in this letter or the claims process in general, please call our toll-free Helpline at 1-855-885-1555. Please have your claim number ready when you call: **VCF0102404**. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.

Sincerely,

Rupa Bhattacharyya  
Special Master  
September 11th Victim Compensation Fund

cc: LYNN HANSELL PERKINS



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March 9, 2021

LYNN HANSELL PERKINS  
C/O WENDELL TONG  
SULLIVAN PAPAIN BLOCK MCGRATH & CANNAVO, PC  
120 BROADWAY 18TH FLOOR  
NEW YORK NY 10271

**Re: CLAIM NUMBER: VCF0102404**

Dear LYNN HANSELL PERKINS:

The September 11th Victim Compensation Fund (“VCF”) sent you a letter on November 05, 2020 notifying you of the decision on your claim and the amount of your award. That letter included a request for documents that were missing from your claim and are required in order to process your payment. The VCF has since received the requested documents and this letter provides the details of your award and information on the next steps to be taken on your claim.

After reviewing the responses in your claim form, the documents you submitted in support of your claim, and information from third-party entities, the VCF has calculated the amount of your award as [REDACTED]. This determination is in accordance with the requirements of the Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act (“VCF Permanent Authorization Act”). The enclosed “Award Detail” includes a detailed explanation of the calculation and a list of the eligible conditions that were considered when calculating your award.

No non-routine legal service expenses are approved for reimbursement for this claim.

As the Personal Representative, you are required to distribute any payment received from the VCF on behalf of the victim to the eligible survivors or other recipients in accordance with the applicable state law or any applicable ruling made by a court of competent jurisdiction or as provided by the Special Master.

**What Happens Next**

The VCF will deem this award to be final and will begin processing the full payment on your claim unless you complete and return the enclosed Compensation Appeal Request Form within **30 days from the date of this letter** as explained below. If you do not appeal, the Special Master will authorize the payment on your claim within 20 days of the end of the 30-day appeal period. Once the Special Master has authorized the payment, it may take up to three weeks for the United States Treasury to disburse the money into the bank account designated on the VCF ACH Payment Information Form or other payment authorization document you submitted to the VCF.



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- **Appealing the Award:** You may request a hearing before the Special Master or her designee if you believe the amount of your award was erroneously calculated, or if you believe you can demonstrate extraordinary circumstances indicating that the calculation does not adequately address your loss. **If you choose to appeal, your payment will not be processed until your hearing has been held and a decision has been rendered on your appeal.**

To appeal the award, you must complete two steps by the required deadlines:

1. Complete and return the enclosed **Compensation Appeal Request Form** within **30 days from the date of this letter**. Follow the instructions on the form and upload it to your claim or mail it to the VCF by the required deadline. If you do not submit your completed Compensation Appeal Request Form within 30 days of the date of this letter, *you will have waived your right to an appeal* and the VCF will begin processing any payment due on your claim.
2. Complete and submit your **Compensation Appeal Package** (Pre-Hearing Questionnaire, Compensation Explanation of Appeal, and all applicable supporting documents) no later than **60 days from the date of this letter**. It is important that you carefully review the information enclosed with this letter and follow the instructions if you intend to appeal your award. Additional instructions on the appeals process can be found on the VCF website under “Frequently Asked Questions” and in the Policies and Procedures available under “Forms and Resources.”

Once your complete Compensation Appeal Package is submitted, the VCF will review the information to confirm you have a valid appeal, and will notify you of the next steps specific to your appeal and the scheduling of your hearing.

- **Notifying the VCF of new Collateral Source Payments:** You must inform the VCF of any new collateral source payments you receive, or become entitled to receive, such as a change to your disability or survivor benefits, as this may change the amount of your award. If you notify the VCF within 90 days of learning of the new collateral source payment, your award will not be adjusted to reflect the new entitlement or payment. If you notify the VCF more than 90 days after learning of the new or revised entitlement or payment, the VCF may adjust your award to reflect the new payment as an offset, which may result in a lower award. If you need to notify the VCF of a new collateral source payment, please complete the “Collateral Offset Update Form” found under “Forms and Resources” on the [www.vcf.gov](http://www.vcf.gov) website.

Your award was calculated using our published regulations, and I believe it is fair and reasonable under the requirements of the VCF Permanent Authorization Act. As always, I emphasize that no amount of money can alleviate the losses suffered on September 11, 2001.

If you have any questions, please call our toll-free Helpline at 1-855-885-1555. Please have your claim number ready when you call: **VCF0102404**. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.



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Sincerely,

Rupa Bhattacharyya  
Special Master  
September 11th Victim Compensation Fund

cc: LYNN HANSELL PERKINS



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## Award Detail

Claim Number: VCF0102404  
Decedent Name: GARY PERKINS

<b>PERSONAL INJURY CLAIM (Losses up to Date of Death)</b>	
<b>Lost Earnings and Benefits</b>	
Loss of Earnings including Benefits and Pension	\$0.00
Mitigating or Residual Earnings	\$0.00
<b>Total Lost Earnings and Benefits</b>	<b>\$0.00</b>
<b>Offsets Applicable to Lost Earnings and Benefits</b>	
Disability Pension	\$0.00
Social Security Disability Benefits	\$0.00
Workers Compensation Disability Benefits	\$0.00
Disability Insurance	\$0.00
Other Offsets related to Earnings	\$0.00
<b>Total Offsets Applicable to Lost Earnings</b>	<b>\$0.00</b>
<b>Total Lost Earnings and Benefits Awarded</b>	<b>\$0.00</b>
<b>Other Economic Losses</b>	
Medical Expense Loss	\$0.00
Replacement Services	\$0.00
<b>Total Other Economic Losses</b>	<b>\$0.00</b>
<b>Total Economic Loss</b>	<b>\$0.00</b>
<b>Total Non-Economic Loss</b>	
<b>Subtotal Award for Personal Injury Claim</b>	



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<b>DECEASED CLAIM (Losses from Date of Death)</b>	
<b>Loss of Earnings including Benefits and Pension</b>	
Offsets Applicable to Lost Earnings and Benefits	
Survivor Pension	
SSA Survivor Benefits	
Worker's Compensation Death Benefits	
Other Offsets related to Earnings	
<b>Total Offsets Applicable to Loss of Earnings and Benefits</b>	
<b>Total Lost Earnings and Benefits Awarded</b>	<b>\$0.00</b>
<b>Other Economic Losses</b>	
Replacement Services	
Burial Costs	
<b>Total Other Economic Losses</b>	
<b>Total Economic Loss</b>	
<b>Non-Economic Loss</b>	
Non-Economic Loss - Decedent	
Non-Economic Loss - Spouse/Dependent(s)	
<b>Total Non-Economic Loss</b>	
<b>Additional Offsets</b>	
Social Security Death Benefits	
Life Insurance	<b>\$0.00</b>
Other Offsets	<b>\$0.00</b>
<b>Total Additional Offsets</b>	
<b>Subtotal Award for Deceased Claim</b>	



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<b>Subtotal of Personal Injury and Deceased Claims</b>	
PSOB Offset	\$0.00
Prior Lawsuit Settlement Offset	\$0.00
Award Paid on Prior Personal Injury Claim	
<b>TOTAL AWARD</b>	

<b>Factors Underlying Economic Loss Calculation</b>	
Annual Earnings Basis (without benefits)	
Percentage of Disability attributed to Eligible Conditions - applicable to Personal Injury losses	
Start Date of Loss of Earnings Due to Disability - applicable to Personal Injury losses	

<b>Eligible Conditions Considered in Award</b>	
Malignant Neoplasm Lower Lobe Rt Bronchus/lung	

# Family Member Affidavits

Lynn Hansell-Perkins

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

----- X  
RAYMOND ALEXANDER, et al.,

**AFFIDAVIT OF  
LYNN HANSELL-PERKINS**

Plaintiffs,

21-CV-03505 (GBD)(SN)

V.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

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STATE OF NEW YORK )  
: SS  
COUNTY OF NEW YORK )

LYNN HANSELL-PERKINS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at  
[REDACTED]

2. I am currently 74 years old, having been born on [REDACTED]

3. I am the wife of Decedent, Gary Perkins, upon whose death my claims are based. I submit this Affidavit in support of the present motion for a default money judgment for the claim made on behalf of my husband's estate and for my solatium claim. On September 6, 2019, I was issued Letters Testamentary as Executor of my husband's estate by the New York County Surrogate's Court.

4. My husband passed away from lung cancer on June 19, 2019, at the age of 72. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks at the World Trade Center.

5. My name is Lynn Hansell Perkins and I am the surviving spouse of Gary Perkins. Together we raised our daughter, Ella Perkins.

6. At the time of September 11, 2001, my family, including Gary, lived at [REDACTED] [REDACTED]. In addition to living at [REDACTED], he was also the building manager. Gary both lived and worked at [REDACTED]. On the morning of September 11, 2001, Gary was in the basement of our building preparing for work when I called to say that a plane struck one of the World Trade Center towers. Gary went to our daughter's school, which was located two blocks away, and brought her home. Once there, they watched the towers collapse from our large south-facing windows. Following September 11, 2001, Gary would continue to live at 14 Harrison Street, located within the NYC Exposure Zone, until his passing on June 19, 2019.

7. Prior to his cancer diagnosis and eventual passing, Gary long suffered from breathing and lung related issues. In July 2017, his lung collapsed while he was riding his bike. He was taken to Downtown NY Presbyterian Hospital, but after his health continued to decline, he was admitted into the ICU. He was kept in the ICU for a week and was released from the hospital 12 days after he was initially admitted. Following this episode, Gary would regularly go for periodic check-ups and CT scans. In September of 2018, a biopsy discovered that he had small-cell carcinoma, and that it had spread to his liver. He immediately met with an oncologist, Dr. Ronald Scheff, and began chemotherapy treatment four days later on October 1, 2018. As a result of his prescribed steroids, he began to experience fatigue, extreme anxiousness, and sleeplessness. On December 10, 2018, he began radiation therapy as the chemotherapy did not stop the spread. At that point he had lesions in his lung, liver, and groin area. In March 2019, Gary began radiation therapy on his brain. He began using oxygen on May 2, 2019, and around the same time his back

began to hurt. An MRI showed that the small-cell carcinoma had spread to his spine. On May 11, 2019, Gary was transported by ambulance to the hospital because he could not stand up due to the intense pain he was experiencing. While there, he received radiation to his spine and was prescribed medication for his pain. On May 20, 2019, he was moved to the VillageCare Rehabilitation Center, where he was to receive physical therapy. After two weeks, he desperately wanted to come home. He was experiencing occasional confusion, a lot of anxiety, and his short-term memory was diminishing – probably from the brain radiation. On June 13, 2019, I met with a team of providers who wanted to keep him another week, but I insisted that he be released to come home. My daughter Ella and I set up a hospital bed, oxygen, and other supplies as were used at VillageCare. We also hired a home health aide to help us care for him on June 17, 2019. After several hours of intense coughing and clear pain, even though he was on pain medication, Gary died sometime during the night on Wednesday, June 19, 2019.

8. Now that my husband is gone, I am faced with how to replace all the things he did for our family. I didn't know how to do any of the things that he did for us. I knew how to work in an office and bring in a regular paycheck. I relied on him for everything else. He took our daughter to school, made her lunch, did all the grocery shopping, cleaned, made supper, and made sure we were safe.

Lynn Hansell Perkins  
LYNN HANSELL-PERKINS

Sworn before me this

4<sup>th</sup> day of August, 2023  
Notary public

